

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:15-CV-134

United States of America and the State of North
Carolina, *ex rel* David A. Majure, M.D. and Carla
C. Majure,

Plaintiffs,

v.

Carolina Comprehensive Health Network, PA;
Statesville Medical Management Services, LLC;
Michael A. Smith; Brian Gaskill; Codey Brown;
and Dr. Harrison “Gabe” Frank,

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on the Joint Stipulation of Dismissal of Claims Against Defendants (the “Stipulation,” Doc. 59), entered into by the United States, the State of North Carolina, and the Relators pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the North Carolina False Claims Act, N.C. Gen. Stat. § 1-608(b)(1) and Rule 41(a) of the Federal Rules of Civil Procedure, and the Court, having read and considered the Stipulation and the papers on file in this action, rules as follows:

1. Consistent with the terms of the Settlement Agreements executed by the United States of America; the State of North Carolina; David. A Majure, M.D. and Carla C. Majure (the “Relators”), and Michael A. Smith, Codey Brown, and Dr. Harrison Frank (the “Settling Defendants”):

(a) all claims and causes of action set forth in the *qui tam* Complaint shall be dismissed with prejudice as to Relators;

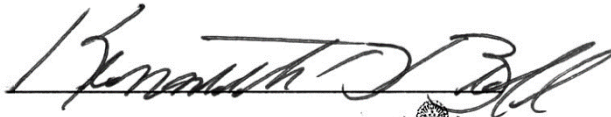
(b) all claims and causes of action set forth in the *qui tam* Complaint and brought on behalf of the United States and State of North Carolina against the Settling Defendants for the Covered Conduct, as that term is specifically defined in Paragraph D of the August 25, 2020 Settlement Agreements between the United States, Relators and the Settling Defendants, shall be dismissed with prejudice as to the United States and State of North Carolina; and

(c) all other claims against the Settling Defendants and all claims against any other Defendant shall be dismissed without prejudice to the United States and State of North Carolina.

2. The Court will retain jurisdiction to the extent necessary to enforce the terms and conditions of the Settlement Agreements.

SO ORDERED.

Signed: September 14, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

